

**PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)**  
**(Small Entity)**

Docket No.  
 2245.038

In Re Application Of: Berdini et al.

Application No. 10/524,760	Filing Date February 10, 2005	Examiner Unknown	Customer No. 23405	Group Art Unit 1615	Confirmation No. 3408
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Invention: PHARMACEUTICAL COMPOUNDS

COMMISSIONER FOR PATENTS:

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of September 26, 2005 in the above-identified application.  
*Date*

The requested extension is as follows (check time period desired):

☐ One month    ☒ Two months    ☐ Three months    ☐ Four months    ☐ Five months

from: November 26, 2005    until: January 26, 2006  
*Date*    *Date*

☒ Applicant claims small entity status. See 37 CFR 1.27

The fee for the extension of time is \$225 and is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 08-1935
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 08-1935
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

  
*Signature*

Dated: January 26, 2006

Philip E. Hansen  
 Reg. No. 32,700  
 Heslin Rothenberg Farley & Mesiti, P.C.  
 5 Columbia Circle  
 Albany, New York 12203  
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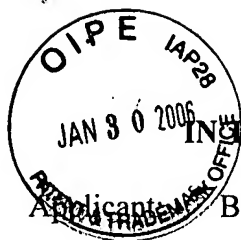
I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on  
 January 26, 2006

  
*Signature of Person Mailing Correspondence*

Philip E. Hansen

*Typed or Printed Name of Person Mailing Correspondence*

cc:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Berdini et al.

Atty. Dkt. No.: 2245.038

Serial No.: 10/524,760

Filed : February 10, 2005

Confirmation No.: 3408

Group Art Unit: 1615

Title: PHARMACEUTICAL COMPOUNDS

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 26, 2006.

Philip E. Hansen  
Agent for Applicants  
Reg. No. 32,700

Date of Signature: January 26, 2006

TO: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/  
ELECTED OFFICE (DO/EO/US)**

Dear Sir:

This is a Response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/elected Office (DO/EO/US), mailed from the U.S. Patent and Trademark Office September 26, 2005. In light of the petition for a two-month extension and enclosed fee, a response to the Notification is due by January 26, 2005, this Response is timely filed.

Enclosed herewith are:

- (a) One (1) return receipt postcard;

(b) A copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US);

(c) Preliminary Amendment (13 pages);

(d) Petition for Extension of Time;

(e) Check in the amount of \$590.00 is enclosed (\$65.00 for the late filing fee surcharge, \$200 for search fee; \$100 for examination fee; \$225 for two-month extension); and

(f) Executed Declaration and Power of Attorney.

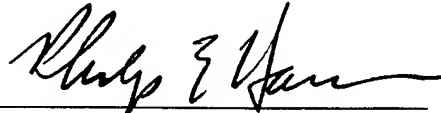
The Commissioner is hereby authorized to charge any deficiency or credit any refund to Deposit Account No. 08-1935.

02/03/2006 ATRAN1 00000130 10524760

04, FC:2252

225.00 0P

Respectfully submitted,



Philip E. Hansen  
Agent for Applicant  
Registration No. 32,700

Dated: January 26, 2006

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/524,760	Valerio Berdini	2245.038

INTERNATIONAL APPLICATION NO.
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PCT/GB03/03474

IA. FILING DATE	PRIORITY DATE
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08/08/2003

08/10/2002

23405  
 HESLIN ROTHENBERG FARLEY & MESITI PC  
 5 COLUMBIA CIRCLE  
 ALBANY, NY 12203

**CONFIRMATION NO. 3408**  
**371 FORMALITIES LETTER**  
**\*OC000000017100056\***  
 \*OC000000017100056\*

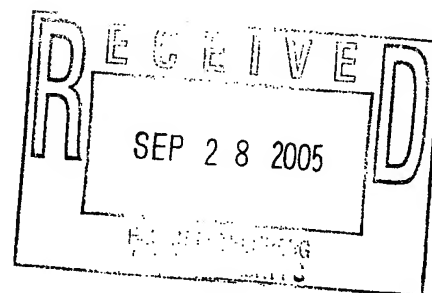
Date Mailed: 09/26/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 02/10/2005
- Copy of the International Search Report filed on 02/10/2005
- Copy of IPE Report filed on 02/10/2005
- U.S. Basic National Fees filed on 02/10/2005
- Priority Documents filed on 02/10/2005
- Specification filed on 02/10/2005
- Claims filed on 02/10/2005
- Abstracts filed on 02/10/2005

DOCKETED 11/26/05



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$1605** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$2095** for a Small Entity:

- **\$65 Surcharge.**
  - The specification and drawings contain more than 100 pages. Applicant owes **\$125** for 1 pages in excess of 100 pages for a small entity in compliance with 37 CFR 1.27.
  - The application search fee has not been paid. Applicant must submit **\$200** to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
  - The application examination fee has not been paid. Applicant must submit **\$100** to complete the examination fee for a small entity in compliance with 37 CFR 1.27. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- Total additional claim fee(s) for this application is **\$ 1605**
  - **\$1425** for 57 total claims over 20.
  - **\$180** for multiple dependent claim surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/524,760	PCT/GB03/03474	2245.038